

ESTTA Tracking number: **ESTTA469386**Filing date: **04/26/2012**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Continental Fragrances, Ltd.		
Entity	Corporation	Citizenship	Michigan
Address	750 Standard Parkway Auburn Hills, MI 48326 UNITED STATES		

Attorney information	Michelle L. Visser Rader, Fishman & Grauer PLLC 39533 Woodward Avenue Suite 140 Bloomfield Hills, MI 48304 UNITED STATES interpartesparalegals@raderfishman.com Phone:248-594-0644
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**Registration Subject to Cancellation**

Registration No	1379919	Registration date	01/28/1986
Registrant	SAFEGUARD CHEMICAL CORPORATION 411 WALES AVENUE BRONX, NY 10454 UNITED STATES		

**Goods/Services Subject to Cancellation**Class 003. First Use: 1965/00/00 First Use In Commerce: 1965/00/00  
Cancelled goods and services in the class: HAIR SHAMPOO**Grounds for Cancellation**

Abandonment	Trademark Act section 14
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Attachments	petition for cancellation.pdf ( 2 pages )(102550 bytes )
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**Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/bwb/
Name	Bradley W. Bidwell
Date	04/26/2012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CONTINENTAL FRAGRANCES, LTD.,

Petitioner,

v.

SAFEGUARD CHEMICAL CORPORATION,

Registrant.

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Cancellation No.: \_\_\_\_\_

Registration No.: 1,379,919

Mark: SG & DESIGN

**PETITION FOR CANCELLATION**

Petitioner, Continental Fragrances, Ltd., a Michigan corporation, at 750 Standard Parkway, Auburn Hills, Michigan 48326, believes it will be damaged by the continued registration of Registration No. 1,379,919 for the mark SG & DESIGN for the goods “*hair shampoo*” in such registration by Safeguard Chemical Corporation (“Registrant”) and hereby petitions for cancellation of these goods on the ground that Registrant has abandoned rights in the mark for these goods.

1. On information and belief, Registrant is a New York Corporation, at 411 Wales Avenue, Bronx, New York 10454.

2. On information and belief, Registrant is the owner of Registration No. 1,379,919 covering “*floor wax, furniture wax, furniture polish; all purpose cleaning preparations; oven cleaning preparations; glass and window cleaning preparations; dishwashing liquids and lotions; toilet bowl cleaning preparation; laundry detergents; laundry fabric softeners; spray starch; drain opening preparations; rug shampoo, and hair shampoo*” in Class 3 and “*household and institutional disinfectant preparations; home and garden insecticides; and room deodorant and air freshener preparations*” in Class 5.

3. On June 15, 2007, Petitioner filed Application No. 77/207,646 for the mark SG & DESIGN which covers “*hair care preparations*” in International Class 3.

4. The Office refused registration of Application 77/207,646 based a likelihood of confusion with Registration No. 1,379,919. The Office believes the mark of Application 77/207,646 for “*hair care preparations*” so resembles the mark of Registration No. 1,379,919 for “*hair shampoo*” as to be likely to cause confusion, or to cause mistake or to deceive. Therefore, Petitioner is likely to be damaged by the continued registration of such registration for such goods.

5. On information and belief, Registrant has discontinued the use of the mark of Registration No. 1,379,919 for “*hair shampoo*” with no intent to resume use. Petitioner hereby petitions to cancel Registration No. 1,379,919 for such goods on the ground that rights in the mark for such goods have been abandoned.

WHEREFORE, PETITIONER PRAYS THAT Registration No. 1,379,919 be cancelled with respect to “*hair shampoo*” and that this Petition for Cancellation be sustained in favor of Petitioner.

The Commissioner is authorized to charge the \$300.00 filing fee for this Petition for Cancellation to Deposit Account No. 18-0013. Additional fees required should be charged to the same account.

Respectfully submitted,

Date: April 26, 2012

/s/Bradley W. Bidwell  
Michelle L. Visser  
Bradley W. Bidwell  
RADER, FISHMAN & GRAUER, PLLC  
39533 Woodward Ave., Suite 140  
Bloomfield Hills, Michigan 48304  
248-594-0600

#### **CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing ***Petition for Cancellation*** upon Registrant by causing a true and correct copy thereof to be sent to:

Safeguard Chemical Corporation  
411 Wales Avenue  
Bronx, New York 10454

Date: April 26, 2012

/s/Bradley W. Bidwell  
Bradley W. Bidwell